



UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	A	ATTORNEY/DOCKET NO.
09/047,894	03/25/95	CAFOWSKI		

021005 LM02/1211  
HAMILTON BROOKS SMITH AND REYNOLDS  
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POPE EXAMINER

ART UNIT 36 PAPER NUMBER

12/11/95 3

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

**Office Action Summary**Application No.  
09/047,894

Applicant(s)

CAPOWSKI ET AL

Examiner

Daryl C. Pope

Group Art Unit  
2736 Responsive to communication(s) filed on \_\_\_\_\_. This action is FINAL. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims** Claim(s) 1-26 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

 Claim(s) \_\_\_\_\_ is/are allowed. Claim(s) 1-26 is/are rejected. Claim(s) \_\_\_\_\_ is/are objected to. Claims \_\_\_\_\_ are subject to restriction or election requirement.**Application Papers** See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner. The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved. The specification is objected to by the Examiner. The oath or declaration is objected to by the Examiner.**Priority under 35 U.S.C. § 119** Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d). All  Some\*  None of the CERTIFIED copies of the priority documents have been received. received in Application No. (Series Code/Serial Number) \_\_\_\_\_. received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

 Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).**Attachment(s)** Notice of References Cited, PTO-892 Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 Interview Summary, PTO-413 Notice of Draftsperson's Patent Drawing Review, PTO-948 Notice of Informal Patent Application, PTO-152**--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---**

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## DETAILED ACTION

### *Claim Objections*

1. Claim 8 is objected to because of the following informalities:

1) Claim 8 line 7, the term "indicative" should read "indicator". Appropriate correction is required.

### ART REJECTION:

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson et al(5,400,246).**

-- In considering claim 5, the claimed subject matter that is met by Wilson et al(Wilson) includes:

1) the claimed notification appliances having status and alarm indicators are met by the controlled appliances which status is monitored by the PC(see: column 24, lines 18-30.

-- Claims 1-4, and 6-26 are met as discussed with reference to claim 5 above.

### *Conclusion*

4. Any response to this action should be mailed to:

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Washington, D.C. 20231

or faxed to:

(703) 308-9051(for formal communications intended for entry)

Or:

(703) 305-3988(for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daryl C. Pope whose telephone number is (703) 305-4838. The examiner can normally be reached on M-Th from 8:30 to 6:00. The examiner can also be reached on alternate Fridays from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on (703) 305-4717. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8576.

Daryl C. Pope

Dec. 5, 1998

  
DARYL POPE  
PROJECT EXAMINER  
GROUP 201  
2706